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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

RICHARD JESUS VALENTINE,

Defendant and Appellant.

A123844

(Humboldt County  
Super. Ct. No. CR083542)

ORDER MODIFYING OPINION  
AND DENYING REHEARING  
[NO CHANGE IN JUDGMENT]

THE COURT:

It is ordered that the opinion filed herein on December 22, 2009, be modified as follows:

The final three sentences of the introductory paragraph are modified to read:

Defendant was informed of his right to file a supplemental brief and has done so.  
The brief raises no issues that are cognizable on appeal. In our independent review  
of the record we do not find any arguable issue and therefore we shall affirm the  
judgment.

Defendant's petition for rehearing is denied. There is no change in the judgment.

Date:

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McGuiness, P.J.